IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 1602 of 2007

NISHTHA MANGAL
V/S
STATE & ORS.

Mr. TRIBHUVAN GUPTA, for the appellant / petitioner

Date of Order : 4.4.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

The two learned Courts below have dismissed the application for temporary injunction. The petitioner has challenged these orders, and has also challenged the action of the respondent no.2 in prescribing the minimum age for eligibility to appear in the examination in the Open School.

It is contended that in the previous year the age prescribed was 11 years, while now it has been increased to 14 years. In my view, unless it is shown that the prescription of age was actuated with oblique motive, or to deprive the petitioner, and if the body concerned has thought it proper to prescribe a particular age limit as the eligibility criteria, I do not find any ground to interfere therein.

It was then contended that before effecting any change in the age it should have been sufficiently advertised. This aspect also need not detain me for the reason that it has been found by the learned courts below that it was as early as on 4.7.2006 itself that the petitioner's father had received the prospectus informing the minimum age to be 14 years, and by then the petitioner had not lost the opportunity of pursuing the regular studies which she was doing. As such on that count the petitioner has not suffered any prejudice, and there is no legal proposition to support the contention that before effecting any change in the age the matter should be advertised to the public at large.

Thus, taken from any stand point, I do not find any force in the writ petition. The same is, therefore, dismissed summarily.

(N P GUPTA),J.

/Sushil/